

**Alison Kean Campbell, Metro Attorney**

**METRO**

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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORLAND DIVISION

**KATHERINE BLUMENKRON, an individual;**

**DAVID BLUMENKRON, an individual;**

**SPRINGVILLE INVESTORS, LLC, a limited**

liability company,

**Case No. CV 12-351-BR**

**METRO DEFENDANTS' NOTICE  
PURSUANT TO LOCAL RULE 42-2**

**Plaintiffs,**

**v.**

**BARTON EBERWEIN, in his official capacity  
as member of the Land Conservation &**

**Development Commission; HANLEY**

**JENKINS, in his official capacity as member of  
the Land Conservation & Development**

**Commission; TIM JOSI, in his official capacity  
as member of the Land Conservation &**

**Development Commission; GREG**

**MACPHERSON, in his official capacity as  
member of the Land Conservation &**

**Development Commission; CHRISTINE M.**

**PELETT, in her official capacity as member of  
the Land Conservation & Development**

**Commission; TED WHEELER, in his official  
capacity as member of the Land Conservation &**

**Development Commission; JOHN**

**VANLANDINGHAM**, in his official capacity as member and chair of the Land Conservation & Development Commission; **MARILYN WORRIX**, in her official capacity as member and vice-chair of the Land Conservation & Development Commission; **DAVID BRAGDON**, in his official capacity as a council president of Metro; **SHIRLEY CRADDICK**, in her official capacity as a councilor of Metro; **CARLOTTA COLLETTE**, in her official capacity as a councilor of Metro; **CARL HOSTICKA**, in his official capacity as a councilor of Metro; **KATHRYN HARRINGTON**, in her official capacity as a councilor of Metro; **REX BURKHOLDER**, in his official capacity as a councilor of Metro; **BARBARA ROBERTS**, in her official capacity as a councilor of Metro; **and MULTNOMAH COUNTY**,

**Defendants.**

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Pursuant to LR 42-2, counsel for the Metro Defendants\* brings to the Court's attention a potentially related case: Case No. 3:12-cv-00939-SI Exit 282A Development Company, LLC et al. v. Marilyn Worrix, et al. ("Exit 282A Case"). In the Exit 282A Case, plaintiffs allege that defendants, identified as (1) members of the Oregon Land Conservation and Development Commission, (2) Metro Councilors, (3) Clackamas County and (4) members of the Clackamas County Board of Commissioners, violated their rights under the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and the Equal Protection guarantee found in the Oregon State Constitution. Plaintiffs in the 282A Case maintain that defendants' designation of plaintiffs' property as a rural reserve, despite the fact that plaintiffs' property "qualified" as an urban reserve, was irrational and without legal basis. Plaintiffs further maintain that defendants based their intentional decisions on political objectives.

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\* The Metro Defendants are David Bragdon, Shirley Craddick, Carlotta Collette, Carl Hosticka, Kathryn Harrington, Rex Burkholder, and Barbara Roberts.

Dated this 22<sup>nd</sup> day of June 2012.

Respectfully submitted,

METRO

By: s/ Michelle A. Bellia  
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